

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

DANIEL LEE HALL, SR.,

Plaintiff,

v.

Civil Action No. 2:15-12953

UNITED STATES OF AMERICA

Defendant.

MEMORANDUM OPINION AND ORDER

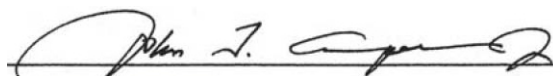
The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Dwane L. Tinsley, filed on August 29, 2016, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B); and having reviewed the record in this proceeding; and there being no objections filed by any party to the proposed findings and recommendation;¹ and it appearing proper so to do, it is ORDERED that the findings and conclusions made in the proposed findings and recommendation of the magistrate judge be, and they hereby are, adopted by the court.

It is, therefore, ORDERED that the plaintiff's complaint be, and it hereby is, dismissed without prejudice. It is further ORDERED that plaintiff's application to proceed without prepayment of fees and costs be denied.

¹ Daniel Lee Hall received the Proposed Findings and Recommendation at Mount Olive Correctional Complex on September 8, 2016, but refused to accept it. See ECF Doc. 9.

The Clerk is directed to forward copies of this written opinion and order to plaintiff, all counsel of record and the United States Magistrate Judge.

DATED: September 26, 2016

A handwritten signature in black ink, appearing to read "John T. Copenhaver, Jr.", written over a horizontal line.

John T. Copenhaver, Jr.
United States District Judge